

Court of Appeals, State of Michigan

ORDER

People of MI v Larry James Bailey

Docket No. 338351

LC No. 2016-002492

Jonathan Tukel
Presiding Judge

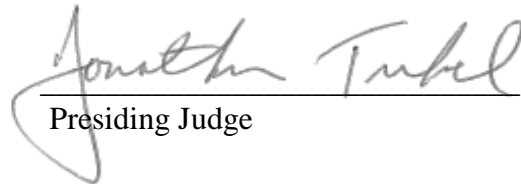
Douglas B. Shapiro

Michael F. Gadola
Judges

Following remand from the Supreme Court, this Court orders that the matter is REMANDED to the trial court for an evidentiary hearing and decision whether defendant was denied the effective assistance of counsel because counsel did not call Lakeisha Bailey and/or Maurice Hamilton as witnesses. *People v Ginther*, 390 Mich 436 (1993). This Court retains jurisdiction.

Defendant shall initiate the proceedings on remand within 28 days of the date of this order. The time for further proceedings in this appeal shall begin to run on the issuance of an order in the trial court that concludes the remand proceedings. However, if defendant fails to file a motion to initiate the proceedings within the time provided, the time for further proceedings in this appeal shall begin to run at the conclusion of that 28-day period. Defendant shall file with this Court a copy of any motion and supporting brief filed in the trial court, and defendant shall file a copy of any order entered within 14 days after entry.

The trial court shall hear and decide the matter as expeditiously as possible under the limitations occasioned by the current health crisis and shall make an appropriate determination on the record. The court shall provide a copy of the transcript of the proceedings to the Court of Appeals. No supplemental briefs on appeal may be filed absent further order of this Court.


Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

April 6, 2020
Date


Chief Clerk